

REMARKS

In response to the office action mailed December 24, 2008, Applicants amended claims 9 and 51, and cancelled claims 31 and 43. Claims 1, 3, 5-9, 14-30, 33, 34, 38-40, and 47-53 are presented for examination.

Initially, Applicants acknowledge with appreciation the Examiner's indication that claims 1, 3, 5-8, 15-24, 30, 33, 34, 38-40, 47, 49, and 50 are allowed.

The Examiner rejected claims 9, 14, 25-29, 31, 43, 48, and 51-53 under 35 U.S.C. §103(a) as obvious over the combination of Yamagishi et al., EP 1096577 and Saito et al., *Applied Physics Letter* Vol 80:1489-1491 (2001), or further in view of Kataoka et al., U.S. Patent 5,389,159 and Lamotte et al., U.S. Patent 6,746,751. Applicants amended independent claims 9 and 51 and cancelled claims 31 and 43 to obviate these rejections. Accordingly, Applicants request reconsideration and withdrawal of the obviousness rejections.

Applicants submit that the pending claims are now in condition for allowance, which action is respectfully requested.

Please apply any other charges to deposit account 06-1050, referencing Attorney's Docket No. 21928-0018US1.

Respectfully submitted,

Date: December 31, 2008

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